

Assembly Bill No. 715

CHAPTER 446

An act to add Section 119 to the Sacramento Area Flood Control Agency Act (Chapter 510 of the Statutes of 1990), relating to the Sacramento Area Flood Control Agency.

[Approved by Governor September 19, 2014. Filed with
Secretary of State September 19, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 715, Dickinson. Sacramento Area Flood Control Agency: assessments.

Existing law, the Sacramento Area Flood Control Agency Act, makes legislative findings and declarations relating to the establishment and purposes of the Sacramento Area Flood Control Agency. The act provides that the membership, boundaries, purposes, and governance of the agency are to be as set forth in a specified joint exercise of powers agreement. The act grants to the agency the authority to impose assessments or special taxes, and issue bonds, to finance projects in accordance with specified laws.

This bill would authorize the agency to change the boundaries of an assessment district, a project, an assessment, or an act, determination, or provision with respect to an assessment district in accordance with specified procedures. This bill would prohibit the agency from undertaking any change with respect to any assessment district while bonds secured by the assessments levied in that assessment district are outstanding unless the board of the agency determines in the resolution of intention with respect to the change that the change will not interfere with the timely retirement of the bonds.

The people of the State of California do enact as follows:

SECTION 1. Section 119 is added to the Sacramento Area Flood Control Agency Act (Chapter 510 of the Statutes of 1990), immediately following Section 118, to read:

119. (a) For the purposes of this section, "change" includes correct, alter, modify, add, omit, increase, decrease, extend, or any other change.

(b) At any time the agency may change any of the following:

(1) The boundaries of an assessment district established pursuant to this chapter.

(2) Any project identified in a report pursuant to Section 112.

(3) Any assessment levied pursuant to this chapter.

(4) Any act, determination, or provision by the agency or the board with respect to any assessment district established pursuant to this chapter.

(c) Proceedings for any change described in subdivision (b) shall be initiated, conducted, and completed consistent with Article XIII D of the California Constitution and the Proposition 218 Omnibus Implementation Act (Article 4.6 (commencing with Section 53750) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code) and consistent with the procedures provided in this chapter for the establishment of an assessment district, except as provided in subdivisions (d) and (e).

(d) In proceedings to annex territory to an existing assessment district, the resolutions, report, notices of hearing, right of majority protest, and any election shall be limited to the territory proposed to be annexed.

(e) In proceedings to detach area from an existing assessment district or dissolve an existing assessment district, the agency may dispense with the preparation and approval of the report required by Section 112.

(f) The agency shall not undertake any change with respect to any assessment district while bonds secured by the assessments levied in that assessment district are outstanding unless the board determines in the resolution of intention with respect to the change that the change will not interfere with the timely retirement of the bonds.